

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

UNITED STATES OF AMERICA,

NO. CR03-448-MJP

Plaintiff,

v.

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

JAKE RAY BUTTERFIELD,

Defendant.

An evidentiary hearing on a petition for violation of supervised release in this case was scheduled before the undersigned Magistrate Judge on June 14, 2010. The United States was represented by Assistant United States Attorney Bruce Miyake, and the defendant by Ralph Hurvitz. The proceedings were digitally recorded.

The defendant had been charged and convicted of Possession of Counterfeit Securities, in violation of 18 U.S.C. § 513(a). On or about June 2, 2004, defendant was sentenced by the Honorable Marsha J. Pechman to a term of 41 months in custody, to be followed by 3 years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, participation in a substance abuse program, financial disclosure, \$39,108.45, search, no new lines of credit, reside at RRC for up

1 to 120 days, no self-employment, no employment with access to monetary instruments, and no
2 identification documents in other than true legal name..

3 In a Petition for Warrant or Summons dated June 2, 2010, U.S. Probation Officer
4 Jennifer J. Tien asserted the following violations by defendant of the conditions of his
5 supervised release:

- 6 (1) Failing to comply with the rules and regulations of the residential re-entry
7 center (RRC) by deviating and possessing adult pornography, on or about May
8 28, 2010, in violation of the special condition that he comply with all rules and
9 regulations of the RRC.

10 On June 4, 2010, defendant made his initial appearance. The defendant was advised of
11 the allegations and advised of his rights. On June 14, 2010, this matter came before the Court
12 for an evidentiary hearing. Defendant admitted to violation 1 as modified:

- 13 (1) Failing to comply with the rules and regulations of the residential re-entry
14 center (RRC) by deviating and having internet access on his cellular phone, on
15 or about May 28, 2010, in violation of the special condition that he comply with
16 all rules and regulations of the RRC.

17 I therefore recommend that the Court find the defendant to have violated the terms and
18 conditions of his supervised release as alleged in violation 1, and that the Court conduct a
19 hearing limited to disposition. A disposition hearing on these violations has been set before the
20 Honorable Marsha J. Pechman on June 24, 2010 at 4:00 p.m.

21 Pending a final determination by the Court, the defendant has been detained.

22 DATED this 14th day of June, 2010.

23 
24 JAMES P. DONOHUE
25 United States Magistrate Judge
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2 cc: District Judge: Honorable Marsha J. Pechman
3 AUSA: Bruce Miyake
4 Defendant's attorney: Ralph Hurvitz
Probation officer: Jennifer J. Tien
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